

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
MCALLEN DIVISION

UNITED STATES OF AMERICA	§	
Plaintiff,	§	
	§	
v.	§	<b>CIVIL ACTION NO. 7:20-CV-</b>
	§	<b>00239</b>
43.412 ACRES OF LAND, MORE OR	§	
LESS, SITUATED IN HIDALGO	§	
COUNTY, TEXAS; HIDALGO COUNTY	§	
IRRIGATION DISTRICT NO. 2; ET AL.,	§	
Defendants.	§	

**DEFENDANT HIDALGO COUNTY IRRIGATION DISTRICT NO. 2'S NOTICE**  
**REGARDING DETERMINATION OF JUST COMPENSATION**

1. Defendant Hidalgo County Irrigation District No. 2 ("Defendant") hereby files this notice regarding determination of just compensation. Defendant requests that the Court determine just compensation based on briefs and evidence submitted therewith.

2. The facts of this case do not warrant an evidentiary hearing. Plaintiff mishandled discovery and, as a result, missed out on deposing Defendant's experts. *See* Dkt. 42 (order granting Defendant's motion for protection) at 2 ("[T]he United States' attempt to depose Defendant Hidalgo County Irrigation District No. 2's expert or experts fails, for a familiar reason: the United States' unreasonable delay."). Plaintiff plainly wants to use an evidentiary hearing as a second bite at "depositions." If Plaintiff had not mishandled discovery then a second bite would be unnecessary. Defendant should not have to incur the significant expenses associated with an evidentiary hearing just because Plaintiff mishandled discovery.

3. If the Court nevertheless grants Plaintiff's request for an evidentiary hearing, then Defendant agrees with Plaintiff that a bench trial is appropriate (as opposed to a jury trial or special commission).

Respectfully submitted,

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**Attorneys for Defendant Hidalgo County  
Irrigation District No. 2**

**CERTIFICATE OF SERVICE**

I hereby certify that on September 14, 2021, a true and correct copy of the foregoing was sent to the following:

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